

Sean P. Flynn (SBN 220184)
sflynn@foleymansfield.com
FOLEY & MANSFIELD, PLLP
300 South Grand Avenue, Suite 2800
Los Angeles, CA 90071
Telephone: (213) 283-2100
Facsimile: (213) 283-2101

Attorneys for
**RECEIVABLES PERFORMANCE
MANAGEMENT, LLC**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

JOSHUA HALL,
Plaintiff,
vs.
RECEIVABLES PERFORMANCE
MANAGEMENT, LLC,
Defendant.

Case No: 13-CV-0805 BEN (RBB)

**NOTICE OF EX PARTE
APPLICATION**

||||

1 **TO THE COURT, PLAINTIFF, AND HIS COUNSEL OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** on October 17, 2013, Defendant Receivables
3 Performance Management, LLC (“Defendant”) will and hereby does move Ex Parte for
4 an Order to continue the settlement conference currently scheduled for October 24, 2013
5 at 2:00 pm in the chambers of United States Magistrate Judge Ruben B. Brooks, 221 West
6 Broadway, Courtroom 2C, San Diego, California for a further settlement conference, or
7 in the alternative, allow an Defendant to appear through it’s Compliance Officer, who
8 happens to be a lawyer.

9 Good cause exists for this request. The Court’s August 26, 2013 Minute Order
10 [Docket 17.] requires that Defendant’s representative appearing at the settlement
11 conference be a non-lawyer. Defendant’s Compliance Officer, Mark Case, who handles
12 settlement conferences on behalf of the company, is a lawyer in the state of Washington.
13 Further, currently no other employee of Defendant who would be vested with full
14 settlement authority is available to attend the currently scheduled settlement conference,
15 other than Mr. Case.

16 This Ex Parte Application is based on this Notice, the concurrently filed
17 Memorandum of Points and Authorities, and the concurrently filed Declaration of Sean P.
18 Flynn, Esq.

19 Defendant did request a stipulation from Plaintiff’s Counsel. Plaintiff’s Counsel
20 declined to stipulate.

21
22 Dated: October 17, 2013

FOLEY & MANSFIELD, PLLP

23 By: /s/ Sean P. Flynn
24 Sean P. Flynn
25 Attorneys for Defendant
26 Receivables Performance Management, LLC.
27
28